

REMARKS

Claims 36, 46, and 51-61 are pending in the present application.

Applicants thank Examiner Baum for the indication that the amendments and remarks filed on July 14, 2009, are sufficient to overcome the rejection of Claims 36, 46, and 51-61 under 35 U.S.C. § 112, first paragraph (enablement). Official entry of the amendments and remarks filed on July 14, 2009.

In the Advisory Action, the Examiner indicated that the Terminal Disclaimer filed on July 14, 2009, was not approved because the original Power of Attorney filed in this application is not in compliance with the current rules of practice. Accordingly, Applicants **submit herewith** a new Power of Attorney together with a newly executed Terminal Disclaimer.

Applicants make no statement with respect to the propriety of the rejection of Claims 36, 46, and 51-61 under the judicially created doctrine of obviousness-type double patenting over claims 8-11, 19-22, 29-33, 41-44, 52-55, and 63-66 of U.S. 6,727,408 and in no way acquiesce to the Examiner's allegation of obviousness-type double patenting. Solely to expedite examination allowance of this application, Applicants **submit herewith** a Terminal Disclaimer over U.S. 6,727,408. Withdrawal of this ground of rejection is requested.

Application Serial No.: 10/749,386

Reply to Advisory Action of August 25, 2009 and Office Action mailed April 14, 2009

Applicants submit that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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